

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-EIGHTH LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 9, 2005

Senate Chamber

President Risch called the Senate to order at 8 a.m.

Roll call showed all members present except Senators Bunderson, Gannon, and Schroeder, absent and formally excused by the Chair; and Senator Stegner, absent and excused. [District 21 seat temporarily vacant.]

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Daniel Grad, Page.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

Senator Stegner was recorded present at this order of business.

March 9, 2005

The JUDICIARY AND RULES Committee reports that **S 1182, S 1183, S 1184, S 1185, S 1186, SCR 116, SCR 117, and SJM 109** have been correctly printed.

DARRINGTON, Chairman

**S 1182, S 1184, and S 1185** were referred to the Finance Committee.

**S 1183** was referred to the State Affairs Committee.

**S 1186** was referred to the Judiciary and Rules Committee.

**SCR 116** and **SCR 117** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Goedde, granted by unanimous consent, **SJM 109** was referred to the Education Committee.

March 8, 2005

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 125** with the recommendation that it do pass.

HILL, Vice Chairman

**H 125** was filed for second reading.

March 8, 2005

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 120, H 89, H 90, H 136, and H 141** with the recommendation that they do pass.

ANDREASON, Chairman

**H 120, H 89, H 90, H 136, and H 141** were filed for second reading.

March 8, 2005

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 140** and **H 200** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, **H 140** and **H 200** were referred to the Fourteenth Order of Business, General Calendar.

March 8, 2005

The HEALTH AND WELFARE Committee reports out **HCR 15** and **H 235** with the recommendation that they do pass.

COMPTON, Chairman

**HCR 15** was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

**H 235** was filed for second reading.

March 8, 2005

The FINANCE Committee reports out **S 1182, S 1184, and S 1185** with the recommendation that they do pass.

CAMERON, Chairman

**S 1182, S 1184, and S 1185** were filed for second reading.

March 9, 2005

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Blake Hall to the State Board of Education, term to expire March 1, 2010;

Roderic Lewis to the State Board of Education, term to expire March 1, 2010.

GOEDDE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

March 8, 2005

Mr. President:

I transmit herewith **H 162, H 94**, as amended, **H 130**, as amended, **H 139**, as amended, **H 214**, as amended, **H 68**, as amended, **H 185**, as amended, **H 195**, as amended, **H 271, H 178, H 240, H 261, H 135, H 234, H 238, H 97**, as amended, and **H 127**, as amended, which have passed the House.

JUKER, Chief Clerk

**H 162, H 94**, as amended, **H 130**, as amended, **H 139**, as amended, **H 214**, as amended, **H 68**, as amended, **H 185**, as amended, **H 195**, as amended, **H 271, H 178, H 240, H 261, H 135, H 234, H 238, H 97**, as amended, and **H 127**, as amended, were filed for first reading.

March 8, 2005

Mr. President:

I transmit herewith Enrolled **H 11**, as amended in the Senate, for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 11**, as amended in the Senate, and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of the Education Committee report, relative to the Gubernatorial appointments of Blake Hall and Roderic Lewis, were suspended.

The President announced that the Education Committee report was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Pearce, seconded by Senator Goedde, the Gubernatorial appointment of Blake Hall as a member of the State Board of Education was confirmed by voice vote.

On motion by Senator Andreason, seconded by Senator Burkett, the Gubernatorial appointment of Roderic Lewis as a member of the State Board of Education was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare letters of the Gubernatorial appointment confirmations for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1187

#### BY FINANCE COMMITTEE

#### AN ACT

APPROPRIATING MONEYS FOR GENERAL EDUCATION PROGRAMS AT BOISE STATE UNIVERSITY, IDAHO STATE UNIVERSITY, LEWIS-CLARK STATE COLLEGE, THE UNIVERSITY OF IDAHO AND FOR THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2006; ESTABLISHING AMOUNTS TO BE EXPENDED FOR SYSTEMWIDE PROGRAMS; DIRECTING THE STATE BOARD OF EDUCATION TO COMPLETE THE PROCESS OF ACHIEVING FUNDING EQUITY AMONG IDAHO'S FOUR FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION; DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A STANDARDIZED SYSTEM OF REPORTING TO PROFILE FACULTY WORKLOAD AND PRODUCTIVITY; DIRECTING THE STATE BOARD OF EDUCATION TO PROVIDE A SYSTEM OF REPORTING FACULTY AND STAFF TURNOVER; AND REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES.

**S 1187** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 162**, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 94**, as amended, and **H 130**, as amended, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

**H 139**, as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 214**, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 68**, as amended, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

**H 185**, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

**H 195**, as amended, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

**H 271**, by State Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

**H 178**, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

**H 240**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 261**, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

**H 135**, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 234**, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 238**, by State Affairs Committee, introduced, read the first time at length, and referred to the State Affairs Committee.

**H 97**, as amended, and **H 127**, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

**S 1166** and **S 1165**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

**H 190**, by Health and Welfare Committee, was read the second time at length and filed for third reading.

**H 278**, by Appropriations Committee, was read the second time at length and filed for third reading.

**S 1181**, by Finance Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 8:40 a.m. until the hour of 10 a.m., Thursday, March 10, 2005.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary